

## UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America )

v. )

ANDRE COLEMAN )

Case No: CR. 04-481

USM No: 26195 - 050

Sebastian Bio, Esq.

Defendant's Attorney

Date of Previous Judgment: Oct. 04, 2005

(Use Date of Last Amended Judgment if Applicable)

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 90 months is reduced to 76.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27Amended Offense Level: 25Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 130 to 162 monthsAmended Guideline Range: 110 to 137 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

## III. ADDITIONAL COMMENTS

All other conditions of previous sentence remain.

Except as provided above, all provisions of the judgment dated 4/15/05 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 21, 2008

Effective Date: \_\_\_\_\_

(if different from order date)

Judge's signature

SUSAN D. WIGENTON, U.S.D.J.

Printed name and title